

amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2081, strike line 3 and all that follows through “(3)” on line 7 and insert the following:

Act”); and

(2)

SA 2147. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 90008.

SA 2148. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2191, strike line 6 and all that follows through page 2192, line 12, and insert the following:

(b) NOTICE OF INQUIRY.—Not later than 2 years after the date of enactment of this Act, the Commission shall initiate a notice of inquiry examining obstacles to equal access to broadband internet access service, taking into account the issues of technical and economic feasibility presented by that objective, including—

(1) preventing digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin; and

(2) identifying necessary steps for the Commissions to take to eliminate discrimination described in paragraph (1).

SA 2149. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2162, strike line 10 and all that follows through page 2163, line 19, and insert the following:

(i) USE OF MOST RECENT DATA.—In mapping out gaps in broadband coverage, an eligible

entity that uses a middle mile grant to build out terrestrial or fixed wireless middle mile infrastructure shall use the most recent broadband mapping data available from the FCC fixed broadband map.

SA 2150. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2052, strike line 15 and all that follows through page 2053, line 16, and insert the following:

(f) USE OF FUNDS.—An eligible entity may use grant funds received under this section to competitively award subgrants for—

(1) unserved service projects and underserved service projects;

(2) connecting eligible community anchor institutions; and

(3) installing internet and Wi-Fi infrastructure or providing reduced-cost broadband within a multi-family residential building, with priority given to a residential building that—

(A) has a substantial share of unserved households; or

(B) is in a location in which the percentage of individuals with a household income that is at or below 150 percent of the poverty line applicable to a family of the size involved (as determined under section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) is higher than the national percentage of such individuals.

Beginning on page 2053, strike line 18 and all that follows through page 2054, line 23, and insert the following:

(1) SUBGRANTEE OBLIGATIONS.—A subgrantee, in carrying out activities using amounts received from an eligible entity under this section—

(A) shall adhere to quality-of-service standards, as established by the Assistant Secretary;

(B) shall incorporate best practices, as defined by the Assistant Secretary, for ensuring reliability and resilience of broadband infrastructure; and

(C) may not use the amounts to purchase or support—

(i) any covered communications equipment or service, as defined in section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1608); or

(ii) fiber optic cable and optical transmission equipment manufactured in the People's Republic of China.

Beginning on page 2060, strike line 17 and all that follows through page 2061, line 2, and insert the following:

(D) NTIA AUTHORITY.—The Assistant Secretary may modify the challenge process required under subparagraph (A) as necessary.

On page 2071, strike lines 1 through 7 and insert the following:

(6) RETURN OF FUNDS.—An entity that receives a subgrant from an eligible entity under subsection (f) and fails to comply with any requirement under this subsection during the pendency of the grant shall, after being provided a reasonable opportunity to cure the violation, return an amount of the subgrant that is proportional to the gravity of the violation, up to the entire amount of the subgrant, to the eligible entity, at the discretion of the eligible entity or the Assistant Secretary.

On page 2080, strike lines 3 through 21 and insert the following:

(n) JUDICIAL REVIEW.—The United States District Court for the District of Columbia shall have exclusive jurisdiction to review a decision of the Assistant Secretary made under this section.

SA 2151. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . GRANTS FOR BROADCAST INTERNET AND PUBLIC TELEVISION.

(a) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) CONSTRUCTION PERMIT.—The term “construction permit” has meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(4) COVERED GRANT.—The term “covered grant” means a grant awarded under subsection (b).

(5) ELIGIBLE BROADCASTER.—The term “eligible broadcaster” means a commercial or noncommercial broadcast television licensee or permittee that was, before the date of enactment of this Act—

(A) licensed by the Commission; or

(B) granted a construction permit for a station.

(6) LICENSEE.—The term “licensee” has the meaning given the term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

(7) PERMITTEE.—The term “permittee” means the holder of a television construction permit granted by the Commission.

(8) PUBLIC TELECOMMUNICATIONS ENTITY; PUBLIC TELECOMMUNICATIONS FACILITIES; PUBLIC TELECOMMUNICATIONS SERVICES.—The terms “public telecommunications entity”, “public telecommunications facilities”, and “public telecommunications services” have the meanings given those terms in section 397 of the Communications Act of 1934 (47 U.S.C. 397).

(b) BROADCAST INTERNET AND PUBLIC BROADCASTING GRANTS.—

(1) IN GENERAL.—The Assistant Secretary shall establish a program, to be known as the “Broadcast Internet and Public Broadcasting Grant Program”, under which the Assistant Secretary makes grants—

(A) to eligible broadcasters to facilitate the construction of or reasonable upgrades to facilities of those eligible broadcasters to enable the offering of broadcast services utilizing the ATSC 3.0 broadcast television standard, including datacasting enabled by ATSC 3.0, as permitted under section 336 of the Communications Act of 1934 (47 U.S.C. 336) and parts 73 and 74 of title 47, Code of Federal Regulations;

(B) to eligible broadcasters to facilitate the construction of or reasonable upgrades to facilities of those eligible broadcasters to

enable the deployment of distributed transmission systems (also known as “single frequency networks”), as permitted under section 73.626 of title 47, Code of Federal Regulations; and

(C) in consultation with the Corporation for Public Broadcasting, to public telecommunications entities to facilitate the construction, updates, replacement, and repair of public telecommunications facilities to maintain or improve public telecommunications services provided by those public telecommunications entities to the American public through broadcast and digital distribution technologies.

(2) APPLICATION FOR GRANT.—

(A) IN GENERAL.—The Assistant Secretary shall establish an application process for covered grants.

(B) SELECTION PRIORITY.—In selecting projects to be funded by a covered grant, the Assistant Secretary shall apply the criteria established by the rules promulgated under subsection (c).

(c) RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary shall promulgate rules that—

(1) establish the requirements for applications for covered grants;

(2) identify the criteria to be used by the Assistant Secretary in prioritizing projects;

(3) identify reasonable eligible costs to be presumptively approved by the Assistant Secretary in awarding covered grants; and

(4) establish procedures for the submission and review of cost estimates and other materials related to those costs consistent with the rules promulgated under this subsection.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$5,000,000,000 for fiscal year 2022, to remain available until expended, of which—

(A) not more than \$3,700,000,000 may be used for grants under subsection (b)(1)(A);

(B) not more than \$1,000,000,000 may be used for grants under subsection (b)(1)(B); and

(C) not more than \$300,000,000 may be used for grants under subsection (b)(1)(C).

(2) ADMINISTRATION.—The Assistant Secretary may reserve not more than 4 percent of the funds made available under paragraph (1) for reasonable administrative costs associated with the grant program established under subsection (b).

SA 2152. Mr. GRASSLEY (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division F, add the following:
TITLE VI—STATE FUNDING UNDER RURAL UTILITIES SERVICE PROGRAMS

SEC. 60601. STATE FUNDING UNDER RURAL UTILITIES SERVICE PROGRAMS.

(a) ELIGIBILITY OF PROJECTS THAT RECEIVE STATE FUNDING.—Title VII of the Rural Electrification Act of 1936 (7 U.S.C. 950cc et seq.) is amended by adding at the end the following:

“SEC. 704. ELIGIBILITY OF PROJECTS THAT RECEIVE STATE FUNDING.

“In administering any broadband or telecommunications program, the Secretary,

acting through the Administrator of the Rural Utilities Service, shall not determine that a project is ineligible for funding because the project has received funding from a State.”

(b) STATE FUNDS TO SATISFY MATCHING REQUIREMENTS.—For purposes of any matching funds requirement under any program administered by the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service, an applicant for funding under that program may use funds received from a State program (including funds received by a State from the Federal Government) to satisfy the matching funds requirement.

SA 2153. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS.

A grantee or subgrantee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Energy or the Department of Transportation shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the program, project, or activity that will be financed with funds provided by the Department of Energy or the Department of Transportation;

(2) the dollar amount of the funds provided by the Department of Energy or the Department of Transportation made available for the program, project, or activity; and

(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by nongovernmental sources.

SA 2154. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. ____ . PROHIBITION ON USE OF FEDERAL FUNDS FOR CERTAIN TRANSIT AND RAIL PROJECTS.

Notwithstanding any other provision of law, the Secretary of Transportation shall not provide any new assistance for a transit or rail project if—

(1) the overall cost projection to complete the project exceeds the original cost projection by at least \$1,000,000,000; and

(2) the operational and administrative costs of the service provided by the project are projected to exceed the revenues generated from ridership annually over the next decade.

SA 2155. Mr. CORNYN (for himself, Mr. PADILLA, and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ____ . AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 601(d)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and adjusting the margins accordingly;

(B) by striking “A State, Tribal government, and unit of local government” and inserting the following:

“(1) IN GENERAL.—A State, Tribal government, and unit of local government”; and

(C) by adding at the end the following new paragraph:

“(2) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

“(A) IN GENERAL.—Notwithstanding any other provision of law, a State, Tribal government, or unit of local government may use funds provided under a payment made under this section for a project described in subparagraph (B), including—

“(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

“(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

“(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

“(i) A project eligible under section 133 of title 23, United States Code.

“(ii) A project eligible under section 119 of title 23, United States Code.

“(iii) A project eligible under section 148 of title 23, United States Code.

“(iv) A project eligible under section 167 of title 23, United States Code.

“(v) A project eligible under section 149 of title 23, United States Code.

“(vi) An activity to carry out section 134 of title 23, United States Code.

“(vii) A project eligible under section 202 of title 23, United States Code.

“(viii) A project eligible under section 203 of title 23, United States Code.

“(ix) A project eligible under section 204 of title 23, United States Code.

“(x) A project eligible under section 165 of title 23, United States Code.

“(xi) A project that receives a grant under section 117 of title 23, United States Code.

“(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the ‘Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program’).